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Summary record of the first part* of the 68th meeting
Held at Headquarters, New York, on Friday, 29 May 1998, at 3 p.m.

Chairman: Mr. Chowdhury ..... (Bangladesh)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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* The summary record of the second part of the meeting, to be convened at a later date, will appear as document A/C.5/52/SR.68/Add.1

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(a) Financing of the United Nations Peacekeeping Operations (*continued*)

The meeting was called to order at 3.25 p.m.

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations Peacekeeping Operations (*continued*)

1. **The Chairman** recalled that, during the Committee's consideration of the item during the first part of the resumed fifty-second session in March 1998, a request had been made for a report updating the information provided in document A/47/484 on the composition of the existing groups of Member States for the apportionment of the costs of peacekeeping operations financed through assessed contributions. An information note containing such an updating had now been prepared and distributed to the Committee.

The meeting was suspended at 3.30 p.m. and resumed at 8.35 p.m.

Agenda item 17: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(g) Appointment of members and alternate members of the United Nations Staff Pension Committee (*continued*) **(A/52/107; A/C.5/52/11/Add.4)**

2. **The Chairman**, referring to document A/C.5/52/11/Add.4, said that the Committee was now in a position to recommend to the General Assembly the appointment of a member from the Group of Asian States to fill the remaining vacancy on the United Nations Staff Pension Committee. Mr. Mochamad Slamet Hidayat (Indonesia) had been nominated by his Government for a term of office beginning on 1 January 1998.

3. *The Committee decided to recommend the appointment of Mr. Hidayat (Indonesia) to the United Nations Staff Pension Committee for a term of office beginning on 1 January 1998.*

Agenda item 122: Financing of the United Nations Peacekeeping Forces in the Middle East (*continued*)

(b) United Nations Interim Force in Lebanon (*continued*)

Draft resolutions A/C.5/52/L.36 and A/C.5/52/L.52

4. **Ms. Incera** (Costa Rica) reported that the further informal consultations on draft resolution A/C.5/52/L.36 had unfortunately failed to produce a consensus.

5. **Mr. Sulaiman** (Syrian Arab Republic) said that the draft resolution on the financing of the United Nations Interim Force in Lebanon (UNIFIL) (A/C.5/52/L.52) reaffirmed that Israel was liable for the payment of a sum which was derisory in relation to the heavy losses caused by its attack on the headquarters of the Force in Lebanon. In resolution 51/233 the General Assembly had decided that the costs resulting from that attack, some $1,773,618, should be borne by Israel, but as was clear from the report of the Secretary-General on the financing of the Force, that country had failed to comply with the resolution. He urged Member States to support draft resolution A/C.5/52/L.52, which was submitted by the Group of 77 and China, and reaffirmed the position of his delegation, namely, that Israel was responsible not only for the costs of its attack on the headquarters of the Force but also for the basic financing of that Force, since its aggression against, and occupation of, Arab land was the real reason for the existence of the Force. His delegation was confident that the Secretary-General would, in accordance with the provisions of the draft resolution, take the necessary measures to ensure the full implementation of General Assembly resolution 51/233, since the credibility of the United Nations was bound up with the measures taken to implement its resolutions. The international community must not allow Israel to remain outside its law. The continued existence of the Force was dependent on a guarantee that Israel would not repeat its acts of aggression against Lebanon and that it would comply with resolution 51/233. He expressed his appreciation to those delegations that had voted in favour of resolution 51/233 in 1997 and to the coordinator of the consultations for the efforts she had made to try to reach a consensus on the draft resolution. That she had not succeeded was due to the belief held by some delegations that it was not essential for resolution 51/233 to be implemented. His delegation would explain its position on the draft resolution once it had been adopted by the General Assembly.

6. **Mr. Yeo** (Director of the Peacekeeping Financing Division) noted that no figures had been inserted in paragraph 11 of draft resolution A/C.5/52/L.52 because the Secretariat could not provide the amount of the appropriations, inclusive of the amount for the support account, until consultations were completed and action taken on draft resolution A/C.5/52/L.54 concerning the support account. If draft resolution A/C.5/52/L.52 was adopted provisionally, the Secretariat could later provide a consolidated table of figures to fill in the blanks.

7. He further pointed out that, if the draft resolution on the financing of the United Nations Logistics Base at Brindisi (A/C.5/52/L.53), which envisaged that the cost of

the Logistics Base should be absorbed, was adopted, the reference to an appropriation for the Logistics Base – both in draft resolution A/C.5/52/L.52 and in all the other financing resolutions – would have to be deleted.

8. **The Chairman** noted that the new text proposed by the Group of 77 and China also left blanks for figures in paragraphs 1 and 12. He suggested that the Committee might adopt the draft resolution subject to the filling in of the appropriate amounts on the basis of a later decision on the support account.

9. **Mr. Sulaiman** (Syrian Arab Republic) asked the Secretariat to confirm that, when the total appropriation for UNIFIL was determined, the amount filled in in paragraph 11 would be consistent with the recommendation in paragraph 5 of the draft resolution and would exclude the $1,773,618 to be paid by Israel for the Qana incident.

10. **Mr. Yeo** (Director of the Peacekeeping Financing Division) confirmed that no provision relative to the incident at Qana had been made in the proposed budget for the biennium 1998-1999, since the $1,773,618 related to both the prior and the current budgetary periods. He recalled that, in resolution 51/233, the General Assembly had authorized the Secretary-General to enter into commitments in the amount of $1,773,618 to cover the costs resulting from the incident (para. 7), but at the same time had decided that the entire amount should be borne by Israel (para. 8). To date, as indicated in document A/52/804, no payment had been received; consequently the money had not been appropriated.

11. **Mr. Menkveld** (Netherlands), supported by **Mr. Atiyanto** (Indonesia), proposed that the text of the draft resolution should be consistent with all other financing resolutions which had been discussed in recent days or were currently before the Committee for consideration: the word "and" in footnote 2, referring to the reports of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) should be deleted; in paragraph 8, the word "*Endorses*" should be replaced by the words "*Takes note of*" before the reference to the reports of ACABQ; and, in paragraph 11, the phrase ", *as an ad hoc arrangement,*" should be inserted after the word "*Decides*".

12. *It was so decided.*

13. *At the request of the representative of the United States of America, a separate vote was taken on the first preambular paragraph and paragraphs 3, 4, 5 and 16 of draft resolution A/C.5/52/L.52.*

In favour:

Algeria, Argentina, Armenia, Bangladesh, Belarus, Bhutan, Botswana, Brazil, Brunei Darussalam, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritius, Mexico, Morocco, Namibia, Nepal, Oman, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Singapore, South Africa, Sudan, Syrian Arab Republic, Thailand, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zimbabwe.

Against:

Israel, United States of America.

Abstentions:

Australia, Austria, Bahamas, Belgium, Bulgaria, Cameroon, Canada, Costa Rica, Cyprus, Czech Republic, Denmark, Dominican Republic, Finland, France, Germany, Ghana, Greece, Hungary, Ireland, Italy, Jamaica, Japan, Latvia, Lithuania, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

14. *The first preambular paragraph and paragraphs 3, 4, 5 and 16 of draft resolution A/C.5/52/L.52 were adopted by 51 votes to 2, with 38 abstentions.*

15. *A recorded vote was taken on draft resolution A/C.5/52/L.52 as a whole.*

In favour:

Algeria, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Bhutan, Botswana, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Finland, France, Germany, Ghana, Greece, Hungary, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Madagascar, Malawi, Malaysia, Mauritius, Mexico, Morocco, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia,

Slovenia, South Africa, Spain, Sudan, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Viet Nam, Zimbabwe.

Against:

Israel, United States of America.

Abstentions:

Iran (Islamic Republic of).

16. *Draft resolution A/C.5/52/L.52, as amended, was adopted by 89 votes to 2, with 1 abstention, subject to the inclusion of figures by the Secretariat in paragraphs 1, 11 and 12.*

17. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, expressed regret that the Committee had had to take a decision by vote rather than by consensus. He nevertheless welcomed the adoption of the draft resolution and asked the Secretary-General and all concerned to implement it fully in both letter and spirit.

18. **Mr. Mirmohammad** (Islamic Republic of Iran), speaking in explanation of vote after the vote, said that he had voted in favour of retaining the first preambular paragraph and paragraphs 3, 4, 5 and 16, but had abstained in the vote on the resolution as a whole because it believed that the financial requirements of UNIFIL should be borne by the aggressor party.

19. **Mr. Sklar** (United States of America) said that his delegation was still deeply concerned about paragraphs 7 and 8 of General Assembly resolution 51/233 and that it could not support any resolution that jeopardized points of principle which were important for United Nations operations. It had worked in good faith to achieve a compromise text that did not set an undesirable precedent or raise issues about the legality of the Committee's action and did not politicize the Committee's technical task, which was to decide on the financing of UNIFIL. That peacekeeping mission was doing important work and his delegation therefore deeply regretted the Committee's inability to agree on a compromise text.

20. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, the associate countries of Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia and, in addition, Iceland, recalled their position regarding the Qana incident, which was that the costs resulting from that incident were of a special kind, that an appeal for voluntary contributions to finance the costs would be welcome, that the costs should be kept in the budget and that the financing of United Nations peacekeeping operations should continue to be a collective responsibility.

21. The States members of the European Union had abstained in the vote on the first preambular paragraph and paragraphs 3, 4, 5 and 16 of the draft resolution because they considered them inappropriate in the context of a resolution dealing with the financing of UNIFIL, which ought to have been confined to the budgetary aspects. The broader political aspects of the events in question had been debated in the plenary Assembly in 1996 and had resulted in the adoption of resolution 50/22 C; the States members of the European Union had made their political position clear at that time.

22. **Mr. Farid** (Saudi Arabia) expressed satisfaction at the adoption of draft resolution A/C.5/52/L.52. The Member State which had attacked the UNIFIL headquarters unjustifiably must pay to compensate for that deliberate attack, and his delegation strongly urged it to comply with the draft resolution which had just been adopted.

23. **Mr. Najem** (Lebanon) expressed appreciation to the delegations which had supported the resolution on the financing of UNIFIL, a peacekeeping force which was a guarantor of peace in the region. His delegation would reserve the explanation of its vote until the draft resolution was submitted to the General Assembly.

24. **Ms. Powles** (New Zealand), recalling that it was the Committee's task to ensure that costs were borne equitably by Member States according to the ad hoc peacekeeping scale, said that her delegation has abstained in the vote on the first preambular paragraph and paragraphs 3, 4, 5 and 16 of the draft resolution because the text departed from the agreed method of financing. It had, however, supported the draft resolution as a whole because it wanted UNIFIL to continue on a sound financial basis. All Member States were responsible for paying their share of the financing of peacekeeping missions and her delegation called on all those which had not done so to comply with their international obligations.

25. **Mr. Armitage** (Australia) said that his delegation was pleased that the adoption of the draft resolution meant the continuation of financing for UNIFIL, but regretted that it had not been possible to adopt it by consensus. The paragraphs on which a separate vote had been taken contained political elements which were not appropriate in a financing resolution and violated long-standing budgetary principles for peacekeeping operations based on collective responsibility. He also noted that a large number of Member States had not paid their assessed contributions for UNIFIL and urged them to do so promptly.

26. **Mr. Abdullah** (Yemen) said that his delegation, was surprised and indignant that bureaucratic considerations had deprived it of the right to vote, despite the fact that it had paid the minimum contribution some 10 days previously. His delegation was determined to exercise its voting privileges in the General Assembly.

27. **Mr. Watanabe** (Japan) said that, in the view of his delegation, decision-making by consensus was essential in the Fifth Committee. It had therefore abstained in the vote on the first preambular paragraph and paragraphs 3, 4, 5, and 16. However, since all Member States shared a collective responsibility for the financing of UNIFIL, his delegation had voted in favour of the draft resolution as a whole in keeping with its position on peacekeeping operations as expressed at the fifty-first session.

28. **Mr. Monayair** (Kuwait) said that his delegation supported the statement made by the representative of Indonesia on behalf of the Group of 77 and China and regretted that the Committee had had to take a decision by vote. His delegation had hoped that the draft resolution would be adopted by consensus, since the incident at Qana had been a loathsome crime against the United Nations, Lebanon, and all mankind.

29. **The Chairman** said that, in the light of the adoption of draft resolution A/C.5/52/L.52, he would withdraw draft resolution A/C.5/52/L.36.

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations *(continued)*

30. **The Chairman** said that he had received many responses to his request for written proposals regarding the working methods of the Fifth Committee. Those suggestions would be compiled and circulated to members for review and action at the third part of the resumed session.

31. Concerning the question of the strengthening of external oversight mechanisms, the results of the informal consultations were not yet ready for discussion. He, therefore, took it that the Committee wished to recommend to the General Assembly that consideration of that question should be deferred until its fifty-third session.

32. *It was so decided.*

33. **The Chairman** said that, owing to lack of time, he took it that the Committee wished to defer consideration of the thematic reports of the Office of Internal Oversight Services until the third part of its resumed session.

34. *It was so decided.*

Agenda item 118: Joint Inspection Unit

35. **The Chairman** suggested that the Committee should defer consideration of agenda item 118 until the third part of its resumed session.

36. *It was so decided.*

Agenda item 122: Financing of the United Nations peacekeeping forces in the Middle East *(continued)*

(a) United Nations disengagement observer force *(continued)*

Draft resolution A/C.5/52/L.35

37. **Ms. Incera** (Costa Rica), introducing draft resolution A/C.5/52/L.35, said that, in the informal consultations, it had been decided to add the following phrase to the end of paragraphs 11 and 12: "and their respective share of the interest income in the amount of 1,671,000 dollars for the period from 1 December 1994 to 30 November 1995". Paragraph 13 should be deleted.

38. **Mr. Menkveld** (Netherlands) said it was his understanding that the reference to document A/52/860 in footnote 2 should be deleted. In addition, he proposed that, in paragraph 8, the phrase "as an ad hoc arrangement" should be inserted after the word "Decides".

39. *Draft resolution A/C.5/52/L.35, as orally revised and amended, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 8 and 9.*

40. **Mr. Kuntzle** (Germany), speaking in explanation of his delegation's position, said that it had joined in the consensus on peacekeeping financing, but with some reservations. The amount of every peacekeeping budget would not be fully covered by the contributions of Member States. In October 1995, one Member State had announced its intention to reduce its contribution to peacekeeping budgets to an amount it deemed convenient. Such unilateral action would further contribute to the difficult financial situation of the Organization and, in the long run, jeopardize the implementation of all peacekeeping operations. In the view of his delegation, the commitment authority of the Secretary-General would have to be adjusted to the predictable income level. His delegation could not accept non-payment by other Member States or a change in its effective share in the current scale of assessments.

Agenda item 124: Financing of the activities arising from Security Council resolution 687 (1991) *(continued)*

(a) United Nations Iraq-Kuwait Observation Mission (*continued*)

Draft resolution A/C.5/52/L.38

41. **Ms. Daes** (Greece), introducing draft resolution A/C.5/52/L.38, said that a number of revisions had been made to the text during the informal consultations. In paragraph 6, the word "*Endorses*" should be replaced by the phrase "*Takes note of*". A new paragraph 6 *bis* had been added which should read:

> "*Decides* to examine the recommendations of the Advisory Committee on Administrative and Budgetary Questions for a 5 per cent across-the-board reduction of the budget proposals of the Secretary-General in the light of the next series of relevant financial performance reports;"

The current paragraph 15 should be replaced by the following:

> "*Expresses* deep concern about the overpayment of mission subsistence allowances, at present calculated at 6,312,201.53 dollars, as well as the inaccuracy of the earlier estimated amount of 988,443.50 dollars, which represents a drastic increase of 5, 323,758.03 dollars, and the delay in reporting the matter to the General Assembly;"

Paragraph 16 should be amended to read:

> "*Requests* the Secretary-General to take all necessary measures to ensure that voluntary contributions towards the budgeted cost of the Observation Mission are utilized only in accordance with the procedures and practices of the General Assembly;"

A new paragraph 17 *bis* should be added which would read:

> "*Requests* the Secretary-General to review the recovery process, taking into account the results of the inquiry, and bearing in mind various aspects of these measures;"

The current paragraph 18 should be replaced by the following:

> "*Requests* the Secretary-General to ensure that all managers exercising financial responsibilities are issued with the revised and updated version of the Financial Regulations and Rules;"

A new paragraph 18 *bis* should be added which would read:

> "*Requests* the Secretary-General to ensure that every official of the United Nations is responsible to the Secretary-General for the regularity of the actions taken by him or her in the course of his or her official duties. Any official who takes any action contrary to those Financial Regulations or Rules or to the Administrative Instructions issued in connection therewith may be held personally responsible and financially liable for the consequences of such actions;"

She urged the Committee to adopt the revised draft resolution by consensus.

42. **Ms. Duschner** (Canada) said that the reference to document A/52/860 and Add.7 should be deleted to bring the text into line with that of other resolutions on peacekeeping operations.

43. **Mr. Menkveld** (Netherlands) pointed out that the reference to the across-the-board budget reduction in the new paragraph 6 *bis* did not necessarily need to be included in other peacekeeping resolutions.

44. **Mr. Odaga-Jalomayo** (Uganda) said that his delegation had been under the impression that consultations on the revised paragraphs that had just been read out were still ongoing. In the future, it would be preferable if such extensive revisions could be issued in written form before a decision was taken. While his delegation would not block a consensus, it would have preferred to proceed differently.

45. *Draft resolution A/C.5/52/L.38, as orally revised, was adopted subject to the inclusion of figures by the Secretariat in paragraphs 9, 10 and 11.*

46. **Mr. Monayair** (Kuwait), noting that many paragraphs had been inserted and many revisions had been made to the draft resolution, said that, in his opinion, the main reason for that was that sums amounting to some $6 million had been spent in excess of those agreed upon. His delegation hoped that the Secretary-General would endeavour to recoup those sums and pursue further inquiries of those responsible for the problem, which his delegation found very disturbing.

47. **Mr. Odaga-Jalomayo** (Uganda) said that, while his delegation had joined in the consensus, some of the new paragraphs in the draft resolution did not accurately reflect its views.

Agenda item 123: Financing of the United Nations Angola Verification Mission *(continued)*

Agenda item 159: Financing of the United Nations Observer Mission In Angola *(continued)*
(A/C.5/52/L.37)

Draft resolution A/C.5/52/L.37

48. **Mr. Smyth** (Ireland), introduced draft resolution A/C.5/52/L.37, which had been submitted by the Chairman, and announced a number of revisions, which had been agreed in consultations. In paragraph 7, the phrase "operational and substantive" should be deleted in line with previous practice. Changes of an editorial nature had been made in paragraph 8. The square brackets surrounding paragraph 10 should be removed, while paragraph 11 should be brought into line with paragraph 18 of draft resolution A/C.5/52/L.38, which had just been adopted. Paragraph 13 should be replaced by the following two new paragraphs:

> "*Recalls* the budgetary process contained in General Assembly resolution 49/233 A of 23 December 1994 on administrative and budgetary aspects of the financing of the United Nations peacekeeping operations;
>
> "*Notes* that the recommendation in paragraph 5 of the report of the Advisory Committee on Administrative and Budgetary Questions deviates from General Assembly resolution 49/233 A of 23 December 1994;".

49. *Draft resolution A/C.5/52/L.37, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 16, 17 and 18.*

Agenda item 125: Financing of the United Nations Mission for the Referendum in Western Sahara *(continued)*

Draft resolution A/C.5/52/L.39

50. **Mr. Hanson-Hall** (Ghana) introduced draft resolution A/C.5/52/L.39 which had been submitted by the Chairman, and announced a number of revisions, which had been agreed in consultations. Footnote 2 should read "A/52/860/Add.8", the square brackets should be removed from paragraph 7, and the phrase "operational and substantive" in that paragraph should be deleted in line with previous practice. In paragraph 8, the phrase "and the amount of _____ dollars for the United Nations Logistics Base at Brindisi" should be deleted. In paragraph 10, the phrase "of 1,276,000 dollars" should be deleted. He hoped that the draft resolution, as orally revised, would be adopted without a vote.

51. *Draft resolution A/C.5/52/L.39, as orally revised, was adopted subject to the inclusion of figures by the Secretariat in paragraphs 8 and 9.*

Agenda item 126: Financing and liquidation of the United Nations Transitional Authority in Cambodia *(continued)*

Draft resolution A/C.5/52/L.40

52. **Mr. Sulaiman** (Syrian Arab Republic), reporting on the informal consultations, said that draft resolution A/C.5/52/L.40 and the relevant reports of the Secretary-General and of ACABQ had been discussed and that consultations with delegations had resulted in a number of revisions to the draft resolution. The words "of the accumulated interest income of 6,944,000 dollars" should be added after the word "dollars" in paragraphs 13 and 14. Paragraph 15 should be replaced by the following:

> "*Takes note* of the views expressed by Member States on the treatment of the accumulated interest income in the Special Account for the United Nations Transitional Authority in Cambodia;"

He hoped that the draft resolution would be adopted without a vote.

53. *Draft resolution A/C.5/52/L.40, as orally revised, was adopted.*

Agenda item 127: Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces Headquarters *(continued)*

Draft decision A/C.5/52/L.41

54. **Mr. Odaga-Jalomayo** (Uganda), introduced draft decision A/C.5/52/L.41, which had been submitted by the Chairman. Paragraph (b), from which the square brackets should be removed, had been revised to read:

> "*Takes note* of the concern of the Advisory Committee on Administrative and Budgetary Questions expressed in paragraph 6 of its report regarding the use of gratis personnel as negotiators for the United Nations for wet-lease arrangements;".

He hoped that the draft decision would be adopted without a vote.

55. *Draft decision A/C.5/52/L.41, as orally revised, was adopted.*

Agenda item 129: Financing of the United Nations Operation in Mozambique *(continued)*

Draft resolution A/C.5/52/L.42

56. **Mr. Humenny** (Ukraine), on behalf of the Chairman, introduced draft resolution A/C.5/52/L.42 and announced the following revisions. At the end of paragraph 9, the phrase "and interest income of 4,971,000 dollars" should be inserted and the square brackets around the paragraph should be removed. The same phrase should be inserted after the word "dollars" in the last line of paragraph 10, and the square brackets should be removed from that paragraph also. Paragraph 11 should be replaced by the following text:

> "*Takes note* of the views expressed by Member States on the treatment of the accumulated interest income in the Special Account of the Operation;".

Minor editorial changes had also been made to the draft resolution, which he hoped would be adopted without a vote.

57. **Ms. Duschner** (Canada) said that, during consultations, her delegation had voiced its concern over the language of paragraphs 7 and 8 of the report of the Advisory Committee (A/52/853). The gist of the report was that the Secretariat should decide whether a Member State might apply the new procedures for contingent-owned equipment retroactively for missions prior to 1 July 1996, whereas it was her delegation's understanding that that decision was for the Member State to take. Her delegation could therefore not join in the consensus without further clarification from the Secretariat. She requested that a list should be made available showing which missions which had been designated for retroactive application of the new procedures and which had not been so designated. She also enquired further whether negotiations on retroactive application had begun for any missions, and, if so, what the status of those negotiations was.

58. **Ms. Archini de Giovanni** (Italy) supported the statement by the representative of Canada. Her delegation, too, had voiced its concern over the language of paragraphs 7 and 8 of the Advisory Committee's report.

59. **Mr. Odaga-Jalomayo** (Uganda) also supported the statement by the representative of Canada. Resolution 51/218 E, which had created the new procedures for contingent-owned equipment, should be viewed in the context of resolution 50/222, specifically as referred to in paragraph 8 of the draft resolution. In that light, he enquired how the Secretariat intended to apply the retroactive application procedures.

60. **Mr. Persaud** (Chief of the Finance Management and Support Service) recalled that, in resolution 51/218 E, the Assembly had taken note of the reports of the Phase II and Phase III Working Groups on Reimbursement of Contingent-owned Equipment (A/C.5/49/66, annex, and A/C.5/49/70, annex) and the related reports of the Advisory Committee (A/50/887 and A/51/646), and had reiterated that, for missions activated prior to 1 July 1996, countries had the option to accept reimbursement under either the new or the old reimbursement methodology. That continued to be the Secretariat's understanding, and arrangements had been made to conclude memoranda of understanding with troop-contributing countries that had informed the Secretariat of which option they had chosen.

61. He noted, in that connection, that the Secretariat had proposed, and Member States had agreed, that once a troop-contributing country opted for reimbursement under either methodology and the calculations had been made by the Secretariat, the decision could not be rescinded: processing claims and arriving at mutually agreed levels of reimbursement was a time-consuming exercise.

62. To date, the Secretariat had recorded all requests and reviewed almost all the backlog of cases relating to contingent-owned equipment, and therefore expected no further requests for changes from the old to the new methodology.

63. In July 1996, following the adoption of the new procedures, it had been decided that the administrative structure maintained in the United Nations Protection Force (UNPROFOR) to finalize the liquidation and support the three new missions in the former Yugoslavia provided the logical framework for testing the new procedures. Personnel who had been serving in the mission for several years had been able to determine the level of logistical support to the battalions and confirm the in-and-out service, spare parts consumption and, where applicable, claims for sustainment and "wet-lease" arrangements. The proximity of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the United Nations Preventive Deployment Force (UNPREDEP) had also been ideal for testing the new procedures. That had facilitated the compilation of a matrix to determine, *inter alia*, the level of support provided to the battalions. That option, however, had not been available for such missions as the United Nations Transitional Authority in Cambodia (UNTAC), the United Nations Operation in Mozambique

(UNOMOZ) and the United Nations Operation in Somalia (UNOSOM), all of which had ceased active operations.

64. Forty-three claims had been submitted under the retroactive application of the new procedures: two claims for the United Nations Peacekeeping Force in Cyprus (UNFICYP), one for the United Nations Disengagement Observer Force (UNDOF), 11 for UNTAES, three for UNPREDEP, six for the United Nations Angola Verification Mission (UNAVEM), two for the United Nations Assistance Mission for Rwanda (UNAMIR), three for the United Nations Support Mission in Haiti (UNSMIH), one for the United Nations Observer Mission in Georgia (UNOMIG), three for the United Nations Mission for the Referendum in Western Sahara (MINURSO), nine for UNPROFOR, one for UNOSOM and one for UNOMOZ. Two claims had been paid based on signed memoranda of understanding, and memoranda of understanding had been signed in eight other cases. Although negotiations had been completed on six of those cases, the memoranda of understanding for the six cases had not yet been signed. Twenty-five cases were being processed and two remaining requests for reimbursement – for UNOSOM and UNOMOZ – were under review.

65. In response to the question put by the representative of Uganda as to how the Secretariat would interpret those requests for reimbursement, he said that the Secretariat was guided by the relevant decisions of the Fifth Committee. The Advisory Committee had referred to the reimbursement of a claim from one Member State and it was up to the Fifth Committee to guide the Secretariat as to the manner in which that reimbursement should be processed.

66. *Draft decision A/C.5/52/L.42, as orally revised, was adopted.*

Agenda item 130: Financing of the United Nations Peacekeeping Force in Cyprus (*continued*)

Draft resolution A/C.5/52/L.43

67. **Mr. Watanabe** (Japan), introducing draft resolution A/C.5/52/L.43, which had been submitted by the Chairman, said that the word "and" in footnote 2 should be deleted; in paragraph 7, the words "operational and substantive" should be deleted; and the bracketed paragraphs 15 and 16 should be deleted and the following three paragraphs should be renumbered accordingly.

68. *Draft resolution A/C.5/52/L.43, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 11, 12 and 13.*

69. **Mr. Droushiotis** (Cyprus) said that his delegation wished to thank the representative of Japan for coordinating the consultations on the draft resolution. It was also grateful to all the members of the Committee and the Secretariat who had participated in the consultations and enabled the Committee to adopt the draft resolution without a vote.

Agenda item 131: Financing of the United Nations Observer Mission in Georgia (*continued*)

Draft resolution A/C.5/52/L.44

70. **Mr. Moktefi** (Algeria), Rapporteur, introducing draft resolution A/C.5/52/L.44, said that the word "and" in footnote 2 and the words "operational and substantive" in paragraph 7 should be deleted.

71. *Draft resolution A/C.5/52/L.44, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 8 and 9.*

Agenda item 132: Financing of the United Nations Mission in Haiti (*continued*)

Draft decision A/C.5/52/L.45

72. **Mr. Ahounou** (Côte d'Ivoire), introducing draft decision A/C.5/52/L.45, which had been submitted by the Chairman, said he hoped that the Committee would be able to adopt it without a vote.

73. *Draft decision A/C.5/52/L.45 was adopted.*

Agenda item 136: Financing of the United Nations Mission of Observers in Tajikistan (*continued*)

Draft resolution A/C.5/52/L.46

74. **Mr. Moktefi** (Algeria), Rapporteur, introducing draft resolution A/C.5/52/L.46, said that the word "and" in footnote 2 and the words "operational and substantive" in paragraph 8, should be deleted.

75. *Draft resolution A/C.5/52/L.46, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 9 and 10.*

Agenda item 137: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States Between 1 January and 31 December 1994 (*continued*)

76. **Mr. Hanson** (Canada) said that consultations on the item had revealed that the Committee was not yet in a position to take a decision in which it would take note of the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services (A/52/784). He therefore recommended that the Committee should defer further consideration of the item until the third part of its resumed session.

77. **Mr. Odaga-Jalomayo** (Uganda) said that the consultations on the item that had been held during the current session had been extremely productive. Owing to time constraints, however, it had not been possible for delegations to express their views on how the Committee should proceed. His delegation regretted that it had not been possible to draft a decision on the item, which it had hoped would have consisted of four parts. The first part would have acknowledged that the report of the Office of Internal Oversight Services regarding the International Criminal Tribunal for Rwanda had been extensively considered by the General Assembly. In the second part, it would have been proposed that note should be taken of the Office's positive comments on the overall improvement in the administration of the Tribunal since the preparation of the previous report on the subject (A/51/789). In the third part, the General Assembly would have called upon the Secretary-General to ensure that, to the extent possible, the Tribunal was managed in a manner similar to that in which the other existing Tribunal was managed. Finally, the Committee would have proposed the inclusion of a paragraph stressing that the issues pertaining to personnel matters that were contained in the report should be reviewed within the context of the budget for the Tribunal.

78. During the consultations, his delegation had noted with extreme concern the number of days that the Prosecutor had spent in Arusha, and had taken note of the comment that had been made informally that perhaps it was high time for the General Assembly to reconsider its decision to have one Prosecutor for both Tribunals. According to reports that his delegation had received, that situation had been extremely disadvantageous for the International Criminal Court for Rwanda, and he hoped that the matter would be addressed at a later date.

79. Lastly, his delegation wished to comment on an unfortunate incident that had taken place during the discussions with the Secretariat. A member of his delegation had made a comment that had elicited an uncalled-for response from the Secretariat. His delegation had stated that, in the conduct of its investigations, the Office of Internal Oversight Services should ensure that the sources of its information were impartial and reliable. Since the Government of Uganda attached great importance to the International Criminal Tribunal for Rwanda, the response to his delegation's comment had been very disturbing.

80. **The Chairman** suggested that, in the light of the statement made by the representative of Canada, the Committee should defer further consideration of the item until the third part of its resumed session.

81. *It was so decided.*

Agenda item 138: Financing of the United Nations Mission in Bosnia and Herzegovina (*continued*)

Draft resolution A/C.5/52/L.47

82. **Mr. Odaga-Jalomayo** (Uganda), introducing draft resolution A/C.5/52/L.47, which had been submitted by the Chairman, said that the word "and" in footnote 2 and the words "operational and substantive" in paragraph 6 *bis* should be deleted and the square brackets around paragraph 6 *bis* should be removed.

83. *Draft resolution A/C.5/52/L.47, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 7 and 8.*

Agenda item 139: Financing of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (*continued*)

Draft resolution A/C.5/52/L.48

84. **Mr. Odaga-Jalomayo** (Uganda), introducing draft resolution A/C.5/52/L.48, which had been submitted by the Chairman, said that the words "operational and substantive" in paragraph 6 *bis* should be deleted and the square brackets around paragraph 6 *bis* should be removed.

85. *Draft resolution A/C.5/52/L.48, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 14 and 15.*

Agenda item 140: Financing of the United Nations Preventive Deployment Force (*continued*)

Draft resolution A/C.5/52/L.49

86. **Mr. Odaga-Jalomayo** (Uganda), introducing draft resolution A/C.5/52/L.49, which had been submitted by the Chairman, said that the words "operational and substantive" in paragraph 6 *bis* should be deleted and the square brackets around paragraph 6 *bis* should be removed.

87. *Draft resolution A/C.5/52/L.49, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 7 and 8.*

Agenda item 141: Financing of the United Nations Support Mission in Haiti (*continued*)

Draft resolution A/C.5/52/L.50

88. **Mr. Ahounou** (Côte d'Ivoire), introducing draft resolution A/C.5/52/L.50, which had been submitted by the Chairman, said that, in paragraph 8, the words "commensurate with the operational and substantive requirements of the United Nations Civilian Police Mission in Haiti" should be revised to read "commensurate with the requirements of the Mission".

89. *Draft resolution A/C.5/52/L.50, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 15 and 16.*

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

(a) Financing of the United Nations peacekeeping operations (*continued*)

Draft resolution A/C.5/52/L.54: Support account

90. **The Chairman** said that, since consultations were still being held on draft resolution A/C.5/52/L.54, it could not yet be distributed to delegations. The Committee would therefore consider it at a later stage.

Draft resolution A/C.5/52/L.7: Third-party liability: temporal and financial limitations

91. *Mr. Mazemo* (Zimbabwe), introducing draft resolution A/C.5/52/L.7, which had been submitted by the Chairman, said that, in paragraph 9, a subparagraph (e) should be added, which would read:

> "(e) In exceptional circumstances, the Secretary-General may recommend to the General Assembly, for its approval, that the limitation of 50,000 United States dollars provided in subparagraph (d) above, be exceeded in a particular case if the Secretary-General, after carrying out the required investigations, finds that there exist compelling reasons that warrant exceeding the limitation."

92. While the Committee had recognized the need to refine the definition of "operational necessity", it was widely acknowledged that, in paragraph 14 of his report (A/51/389), the Secretary-General had made an excellent attempt to define that term. It was therefore not appropriate at the current stage, for the Committee to request in a resolution that the Secretary-General should continue to work on the definition of the term since that would require the Committee to request him to submit a progress report. Member States and delegations should, however, continue their work in that area.

93. *Draft resolution A/C.5/52/L.7, as orally revised, was adopted.*

Budgetary requirements for peacekeeping operations

94. **The Chairman** suggested that the Committee should recommend to the General Assembly that it should take note of the reports of the Secretary-General on the six-month update of information on the proposed budgetary requirements of each peacekeeping operation for the period from 1 July 1997 to 30 June 1998, which were contained in documents A/C.5/52/44 and Corr.1 and A/C.5/52/52.

95. *It was so decided.*

Draft resolution A/C.5/52/L.53: United Nations Logistics Base, Brindisi

96. **Mr. Mazemo** (Zimbabwe), introducing draft resolution A/C.5/52/L.53, which had been submitted by the Chairman, said that the word "and" should be deleted in footnote 2. Consequently, in the third preambular paragraph, the phrase "the related reports of the Advisory Committee on Administrative and Budgetary Questions" should be amended to read "the related report of the Advisory Committee on Administrative and Budgetary Questions".

97. *Draft resolution A/C.5/52/L.53, as orally revised, was adopted.*

Death and disability benefits

98. **The Chairman** suggested that the Committee should recommend to the General Assembly that it should take note of the reports of the Secretary-General on death and disability benefits: second and third quarterly reports regarding clearing of backlog of claims, which were contained in documents A/C.5/52/37 and A/C.5/52/50, respectively.

99. *It was so decided.*

Agenda item 143: Report of the Secretary-General on the activities of the Office of Internal Oversight Services (*continued*)

100. **The Chairman** suggested that the Committee should defer further consideration of the item until the third part of its resumed session.

101. *It was so decided.*

Agenda item 153: Human resources management (*continued*)

Proposed United Nations Code of Conduct A/52/30/Add.1 and A/52/488

102. **The Chairman** suggested that, bearing in mind the views that had been expressed by Member States during the Committee's consideration of the question and owing to the lack of time, the Committee should recommend to the General Assembly that it should defer further consideration of the question until the third part of its resumed session.

103. *It was so decided.*

Agenda item 161: Financing of the United Nations Mission in the Central African Republic (*continued*)

Draft resolution A/C.5/52/L.51

104. **Ms. Achouri** (Tunisia), introducing draft resolution A/C.5/52/L.51, which had been submitted by the Chairman, said that, in paragraph 5, the words "operational and substantive" should be deleted.

105. *Draft resolution A/C.5/52/L.51, as orally revised, was adopted, subject to the inclusion of figures by the Secretariat in paragraphs 10, 11, 12, 13 and 14.*

106. **Mr. Ekorong A Ndong** (Cameroon) said his delegation hoped that the financial means would be made available in order to enable the Mission to carry out its activities in the Central African Republic. While it was pleased that delegations had demonstrated their flexibility by accepting paragraphs 2 and 3, it would have preferred the provisions referred to in those paragraphs to have been clearly spelt out, since their effective implementation would ensure the success of the Mission.

107. **Mr. Odaga-Jalomayo** (Uganda) said his delegation hoped that the Mission would be provided with the necessary financial resources to enable it to fulfil its responsibilities, and it appealed to Member States to contribute to the trust fund for the support of the Mission's activities. His delegation noted that elections were expected to be held in the Central African Republic in August or September 1998, and it hoped that the United Nations would be closely involved in the electoral process.

Agenda item 116: Programme budget for the biennium 1998-1999 (*continued*)

Draft resolution A/C.5/52/L.56

108. **Mr. Riva** (Argentina), introducing draft resolution A/C.5/52/L.56, which had been submitted by the Chairman, said that, in paragraph 4, "decision 52/447" should read "decision 52/477", and that paragraph 6 should be revised to read:

> "6. *Requests* the Secretary-General to present proposals on the use of the funds available in section 34 of the programme budget for the biennium 1998-1999 to be presented to the relevant intergovernmental bodies as soon as possible and not later than 31 July 1998;"

In the third line of paragraph 1 of the Spanish text, the words "*información básica*" should read "*información sustantiva*".

109. **Mr. Zhang Wanhai** (China) said that there were many inaccuracies in the Chinese text of the draft resolution and the Secretariat should make all the necessary corrections. His delegation hoped that, in future, Chinese translations of reports to be submitted by the Secretary-General would be more accurate.

110. **Mr. Ekorong A Ndong** (Cameroon) said that, in paragraph 1 of the draft resolution, the word "documents" was not correct since, at least in French, a document was merely a sheet of paper. His delegation therefore proposed that the word "documents" should be replaced by "reports".

111. **Ms. Fahmy** (Egypt) said that her delegation shared the concern expressed by the representative of Cameroon with regard to the references to "documents" rather than reports, since the same problem existed in Arabic. She supported the changes proposed by that representative, adding that all the revisions announced by the coordinator of the informal consultations could equally well be applied to the Arabic text. She proposed that paragraph 4 (c) should read: "The sustainability of the Development Account and its activities beyond the year 2003".

112. **Mr. Ahounou** (Côte d'Ivoire) said that, in paragraph 6 of the French text, the words "*des fonds disponibles*" should be replaced by "*du crédit disponible*".

113. **Mr. Humenny** (Ukraine) said that, in paragraph 1 of the draft resolution, the word "reports" could not be used to refer to both documents A/52/758 and A/52/848, since

document A/52/758 was a report and document A/52/848 was a note.

114. **Ms. Fahmy** (Egypt) proposed that, in paragraph 1, the phrase "documents A/52/758 and A/52/848" should be amended to read "report A/52/758 and note A/52/848".

115. *It was so decided.*

116. *Draft resolution A/C.5/52/L.56, as orally revised and amended, was adopted.*

117. **Mr. Watanabe** (Japan) said that, during the informal consultations on draft resolution A/C.5/52/L.56, members of the Committee had become aware of the differences of opinion that existed among them. That realization was very useful to the Committee and the Secretariat. The Committee would need to hold more discussions in order to take a careful decision on the mechanism or modalities for financing the Development Account, and his delegation intended to participate actively in that process. Lastly, he wished to appeal to the Secretary-General, through the Chairman of the Fifth Committee, to ensure the timely submission and high quality of the documents required by the Committee.

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Draft resolution A/C.5/52/L.55: Gratis personnel

118. **Mrs. Brennen-Haylock** (Bahamas) said that consultations were still being held on draft resolution A/C.5/52/L.55, the text of which could not yet be distributed for technical reasons. She requested the Chairman to allow the members of the Committee to hold informal consultations with a view to reaching agreement on the remaining issues.

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

(a) Financing of the United Nations peacekeeping operations (*continued*)

Draft resolution A/C.5/52/L.54: Support account for peacekeeping operations

119. **Mr. Armitage** (Australia) said that consultations on the text of draft resolution A/C.5/52/L.54, which was not yet available for distribution, were at a slightly less advanced stage than those on draft resolution A/C.5/52/L.55 on gratis personnel, with which the draft resolution on the support account was linked. Consultations must be continued in order to reach agreement on the basis for the decision that the Committee would take in the draft resolution on posts and appropriations. However, informal consultations on the draft resolution on the support account should be held after the draft resolution on gratis personnel had been finalized in consultations because many bracketed paragraphs in draft resolution A/C.5/52/L.54 duplicated paragraphs in draft resolution A/C.5/52/L.55.

The meeting was suspended at 12.35 a.m.